

Leland Oil & Gas, LLC, and K and R,
Roustabout, Inc.,

Plaintiffs,

vs.

Marsha Azar and Saul Azar dba Illinois,
Energy, and Bensun Energy, LLC,

Defendants.

Case No. 1:14-cv-161

The Court has carefully reviewed the Report and Recommendation, relevant case law, and the entire record, and finds the Report and Recommendation to be persuasive. Rule 55(a) clearly requires entry of default by the Clerk prior to the grant of default judgment under Rule 55(b). Accordingly, the Court **ADOPTS** the Report and Recommendation (Docket No. 38) in its entirety. Leland Oil's motion for entry of default judgment (Docket No. 26) is **DENIED** without prejudice. The Clerk of Court is directed to treat the motion for entry of default judgment as a request for entry

of default and enter default against Bensun Energy pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

Dated this 2nd day of December, 2015.

/s/ Daniel L. Hovland
Daniel L. Hovland, District Judge
United States District Court